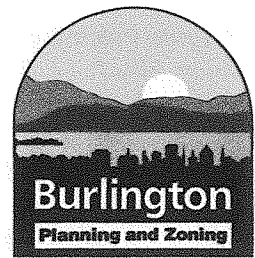


Burlington Planning Commission

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Yves Bradley, Chair
Bruce Baker, Vice-Chair
Lee Buffinton
Andy Montrill
Harris Roen
Andrew Saba
Jennifer Wallace-Brodeur
Vacant, Youth Member



Burlington Planning Commission

REGULAR MEETING

Tuesday, March 12, 2013 - 6:30 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

AGENDA

Note: times given are
approximate unless
otherwise noted.

I. Agenda

II. Public Forum - Time Certain: 6:35 pm

The Public Forum is an opportunity for any member of the public to address the Commission on any relevant issue.

III. Report of the Chair (5 min) – Yves Bradley, Chair

IV. Report of the Director (5 min) – David E. White, Director

V. Public Hearing: MDP-13-01 planBTV – Downtown & Waterfront Plan (30min)

Time Certain 7:00pm

The Commission will hold a public hearing on the following amendment to the Municipal Development Plan:

1. **MDP-13-01 – planBTV-Downtown & Waterfront Plan** - In accordance with 24 VSA §4387, the City of Burlington intends to re-adopt its 2011 *Municipal Development Plan (MDP)* by adopting planBTV – Downtown and Waterfront Master Plan and integrating this document into the MDP, as well as updating the Land Use chapter of the MDP. planBTV presents the City of Burlington's vision for the downtown and waterfront area of the City over the next decades. It refines the more general city-wide goals for sustainable development, established in the MDP, into focused, actionable, area-specific strategies for the central core and economic engine of our community.

VI. Public Hearing: ZA-13-07 50% Residential Limitation in Downtown (15min)

Time Certain 7:30pm

The Commission will hold a public hearing on the following proposed amendment to the Comprehensive Development Ordinance:

1. **ZA-13-07 – 50% Residential Limitation in Downtown** - This proposed amendment to the Comprehensive Development Ordinance eliminates the 50% limitation for residential uses in the Downtown (D) and Downtown Waterfront (DW) districts. The change is intended to increase the potential for housing development in the core of the city as well as the affordability of such development. (Modify Section 4.4.1 (d) 1.B.)

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

VII. Committee Reports (5 min)

VIII. Commissioner Items (5 min)

IX. Minutes/Communications

The Commission will review minutes from the February 12 & 26, 2013 meetings.

X. Adjourn (8:00 p.m.)

Burlington Comprehensive Development Ordinance

PROPOSED: 50% Residential Limitation

As warned by the Planning Commission for public hearing on March 12, 2013

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: This proposed amendment to the Comprehensive Development Ordinance eliminates the 50% limitation for residential uses in the Downtown (D) and Downtown Waterfront (DW) districts. The change is intended to increase the potential for housing development in the core of the city as well as the affordability of such development.

Sec. 4.4.1 Downtown Mixed Use Districts

(a), (b) & (c) as written

(d) **District Specific Regulations**

1. Use Restrictions

The following restrictions regarding the location and overall percentage of residential and nonresidential uses within the Downtown Mixed Use districts shall be as follows:

A. **Ground Floor Residential Uses Restricted** - as written

B. ~~Residential/Nonresidential Mix Required:~~

~~In order to maintain a balance between residential and nonresidential uses in the Downtown (D) and Downtown Waterfront (DW) districts, at least 50% of the gross floor area of any site being developed must be occupied by a non-residential use and no more than 50% of the gross floor area of any such development site may be occupied by a residential use. Historic buildings originally designed and constructed for residential use shall be exempt from these use restrictions.~~

~~Additionally, no more than 75% of the gross floor area of any structure may be occupied by an office use in the Downtown Waterfront (DW) district.~~

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Burlington Planning Commission Minutes

Tuesday, February 12, 2013 - 6:30 pm

Present: B. Baker (late), Y. Bradley, L. Buffinton, A. Montroll, H. Roen, J. Wallace-Brodeur

Absent: A. Saba

Staff: S. Thibault, D. White, E. Tillotson

I. Agenda

No changes.

II. Public Forum

Y. Bradley – Opened the public forum at 6:40 pm.

B. Bisonette, local property owner, states that the historic policy is confusing, would like clarification. He appreciates that the administrators are taking “heads up” observing there are issues between the ordinance and its implementation. He had thought this was decided but appears now to still be in the debating process and emphasizes the need of a method to find solution.

Y. Bradley: This is the reason we are here, the policy was meant to allow greater flexibility and it may contradict the zoning ordinance. The desire of the Planning Commission is to make it less subjective and clearer.

B. Bisonette: Moving forward still seems a question if there is not a definitive answer? Do we have definitive goal from Planning Commission yet? Are we where we are supposed to be or are we still at the debate stage?

A. Montroll: The Planning Commission came up with a policy but now needs to be sure it matches the ordinance. It is necessary to be sure what we are doing conforms to the ordinance.

B. Bisonette: As a group, is the Planning Commission philosophically moving forward with materials policy?

A. Montroll: The City Attorney will discuss how it is to proceed.

B. Bisonette: Doesn't wish to see the Attorney's Office make policy for the City.

J. Wallace-Brodeur: The adopted policy process question is to be addressed moving forward. The Commission doesn't wish to start over.

S. Offenhartz: Applauds the move forward. The decision needs to be made so the city can move forward. He has concerns that the issue of neglect of property may be endorsed, that the policy may provide disincentives to maintenance. Burlington needs a plan with definity.

B. Baker: The policy process has been a work in progress for a long time; the goal is to try to strike a balance. The Secretary of the Interior standards are very clear relating to federal projects, but less clear at the local level.

Y. Bradley – Closed the public forum at 6:53 pm.

As approved by the Burlington Planning Commission on.

III. Report of the Chair

The Chair presented the following report:

- He has been approached by Jason Van Driesche of Local Motion and asked to be involved in a Compact Mixed-Use development group. The group is being respectful of planBTV, the Planning & Zoning Department, and has held two meetings. There is much discussion around parking but the group has pushed back to recognize that there is a broader range of problems. This is an ambitious project.
- He has accepted another appointment as a trustee to the Board of Burlington College, an exciting time to be involved with this institution.
- The Mayor has put out a request for concepts for the Public Investment Action Plan (PIAP) to include the Planning Commission suggestions.

IV. Report of the Director

The Director presented the following report:

- The Director and S. Thibault will meet with Jason van Driesche on Thursday this week to discuss the work of the Compact Mixed-use Group.
- He and S. Thibault have met with the Mayor's Office in an effort to move the Climate Action Plan forward to adoption.
- He has been asked by VTRANS Secretary Brian Searles to serve on a task force which will examine how closely the state transportation investments support smart growth principles.
- He and S. Thibault met with the Vermont Interfaith Action (VIA) group, which was supportive in discussing housing, inclusionary considerations, and zoning clarification.
- Last Friday he met with other city departments and local realtors to talk about the city's development process. Their comments were well received, and it was a great opportunity for the Director to engage and educate.

J. Wallace-Brodeur: How closely do the Moran concepts relate to the results of planBTV?

Y. Bradley: The Mayor is interested in hearing everything, we don't know yet how closely his thoughts will coincide with planBTV.

D. White: One principal filtering criteria for concepts proposed will be how they further any previous plans and planning documents, such as planBTV, which will be the foundation to implementation.

J. Wallace-Brodeur: Are we reinventing the wheel?

S. Thibault: All city departments have been asked to come forward with concepts and most of those come directly from planBTV and other previous planning efforts.

V. Historic Building Materials Policy

E. Blackwood: The City Council received a letter from Matt Viens representing Preservation Burlington which asked the City attorneys to examine a seeming conflict between the Planning Commission historic building materials policy and the Zoning Ordinance. The Attorney's Office decided to come back to the Planning Commission and discuss options. A portion of the policy directly conflicts with the ordinance. It is somewhat in contradiction with the Secretary of Interior standards. Specifically standards 9 and 2 in the policy.

As approved by the Burlington Planning Commission on.

Consistent with section 6, the second part of the policy doesn't address only deteriorating materials which need to be replaced. The intent of the policy is to provide flexibility which is not in the ordinance, which consequently puts focus on the ordinance to provide changes for flexibility.

Y. Bradley: If we look at the Secretary of Interior standards do we disassociate from federal standards.

J. Tanguay: The standards are fixed and cannot be changed.

Y. Bradley: If the Planning Commission is looking at the standards and wants more flexibility, the Commission must consider making changes to the standards.

A. Montroll: How complicated is it to make amendments to zoning code to follow the intent of the policy?

E. Blackwood: There are ten very specific guidelines that will require clarification from the Commission. The Attorneys can provide language once the Planning Commission clarifies the intent of the policy.

B. Baker: Has a concern about the interim period, would this necessitate reverting to the previous policy? What happens while process is proceeding?

E. Blackwood: It could be possible to change the policy a little.

A. Montroll: He doesn't think the Planning Commission's intent is to define when material is failing, but to let the property owner decide when that material is failing.

L. Buffinton: Two things:

- It is better not to do a piecemeal approach.
- The last line in the paragraph being discussed is uncomfortable; confusion exists about the selection etc. And judgement of an average person is difficult to define. The intent is to have flexible approach to materials but preserve historic appearance. Are there any state ramifications to historic districts that would be a complication?

D. White: To the extent that policy institutes the possibility of making changes to historic materials, the eligibility to remain or be placed on national register can be lost. The designation is attached to an individual building.

H. Roen: Is the state uncomfortable with private ownership requirements at federal level?

Y. Bradley: Is it a good thing to apply federal standards to a historic district? Financial considerations are important. The question is policy change that contradicts the ordinance but doesn't produce clarity. Materials can be reversible. The Attorneys office will help with clarification.

E. Blackwood: Will take a look at the standards to see what the Commission wants to include. It would be possible to have a smaller working group and then bring the draft results back to be discussed.

G. Bergman: The focus on materials standards only will help the Attorney's office.

J. Wallace-Brodeur: Recommends that the Commission meet quickly to move on this.

Y. Bradley: And use the existing policy at present.

D. White: Material failure occurs at what point?

On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously voted to select two Planning Commission members to work with the Attorney's Office and planning staff to prepare ordinance changes that reflect the Commission's policy by March 2013.

Volunteers to the group from the Planning Commission are L. Buffinton and A. Montroll.

A. Montroll: Is the existing policy on hold now?

Y. Bradley: Yes, we need to take action to affirm this.

On a motion by A. Montroll, seconded by B. Baker, the Commission unanimously voted to establish a hold on the Planning Commission policy until ordinance changes are put in place.

As approved by the Burlington Planning Commission on.

VI. Public Hearing: ZA-13-04 & ZA-13-05

1. ZA-13-04 – Garage Size and Orientation

D. White: The first change is something that has been discussed recently by the Planning Commission which is to change the present 30% of garage facing the streetscape to 50%, which allows for smaller building footprints and facades facing street.

L. Buffinton: Section 4c needs correction of the spelling of principal.

B. Baker: Uncovered play structures doesn't belong in this proposal, a clarification amendment is needed.

On a motion by J. Wallace-Brodeur, seconded by A. Montroll, the Commission unanimously approved ZA-13-04 and sent to City Council for adoption, as amended.

2. ZA-13-05 – Nonconforming Structures Demolition

L. Buffinton: The first sentence doesn't make sense, suggest that we strike shall.

A. Montroll: Could a doghouse within the setback be removed but replaced at a height of 35 feet?

D. White: The next amendment that is being proposed will specifically deal with height in setbacks.

J. Wallace-Brodeur: Is the intent is to replace with the same?

D. White: The Ordinance Committee last week discussed non conformity in setbacks. Perhaps it would be beneficial to look at both policies together. The proposal is not specific to principle structures or accessory buildings.

On a motion by B. Baker, seconded by A. Montroll, the Commission unanimously closed the public hearing and wait to take up other setback amendments together at their next meeting.

Y. Bradley – Close the public hearing at 7:40pm.

VII. ECOS – Regional Plan Update

Charles Baker & Regina Mahoney from the Chittenden County Regional Planning Commission

C. Baker: First, the draft of the ECOS plan will be out Friday and a copy will be sent to the Commission and the planning office for review.

Second, the Agency of Commerce is providing funds to the Regional Planning Commission to fund communication to the Commission about how your plans are progressing and how can the RPC help?

For ECOS, the comment period is open until March 20 and during that time informal comments and conversation relating to the regional plan is welcome. The emphasis is on supporting municipalities and having accountability at regional level. The Regional Plan and Comprehensive Economic Development Strategy (CEDS) were all prepared and combined together in one document for more expedient implementation.

A RFP is out for the Unified Work Program proposal, the deadline being next Thursday. Other organizations are investing in land use changes as opposed to traffic planning. UPWP unified work program, an exciting program.

S. Thibault: Staff has met with DPW, Parks and Recreation and other departments and discussed different projects to submit for the program. One item that are risen to the surface with some urgency now is the residential parking program.

Y. Bradley: Are we really on track to add 60,000 people to the population of Chittenden County by 2030?

As approved by the Burlington Planning Commission on.

C. Baker: 1% a year growth rate seems to be anticipated. The question is: are we planning for that many more people? It will be a lot of people for this county to absorb. Housing is necessary and it is crucial that we plan for this rather than not plan. We must prepare for the future.

R. Mahoney: There will be a webinar on form based code presented on April 13th.

C. Baker: Our focus for next year is trying to improve services for local planners. The Burlington planBTV document is under review now and the public hearing will be March 20th also at RPC.

VIII. Proposed Amendment

Discussion of possible removal of Article 4.4.1 d, Downtown Mixed Use District

D. White: The planBTV process created a uniform recommendation to get rid of the 50/50 housing/commercial requirement to encourage new development in downtown.

L. Buffinton: This consideration is long overdue, it has financial reasons. It makes environmental sense and appears to be a win-win situation.

A. Montroll: This article began as a balance between housing and commercial uses. PlanBTV broadens the vision for development.

Y. Bradley: The market will respond to this change.

On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously voted to warn a public hearing on ZA-13-07 for March 12, 2013, as amended.

Discussion to remove additional sentence, and is agreed to strike the sentence.

IX. Committee Reports

Executive Committee – will meet next week.

Long Range Planning Committee – will meet this Thursday.

The Ordinance Committee has met and discussed accessory apartments.

X. Commissioner Items

None

XI. Minutes/Communications

L. Buffinton: Correction to the January 22nd minutes, clarification on the quote relating to "amazing piece of work but not every piece will please every person" is the correction, page 2.

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously approved the January 8th and January 22nd minutes as amended.

XII. Adjourn

On a motion by H. Roen, seconded by L. Buffinton, the Commission unanimously adjourned the meeting at 8:02pm.

As approved by the Burlington Planning Commission on.

Yves Bradley, Chair

Date

Elsie Tillotson, recording secretary

As approved by the Burlington Planning Commission on.

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Burlington Planning Commission Minutes

Tuesday, February 26, 2013 - 6:30 pm

Present: B. Baker, L. Buffinton, A. Montroll, J. Wallace-Brodeur, H. Roen

Absent: A. Saba, Y. Bradley

Staff: S. Thibault, D. White, E. Tillotson

I. Agenda

S. Thibault: As a courtesy to members of the public who have requested to speak on one of the proposed amendments, items VI & VII are reversed.

D. White: He would like to add one more proposed amendment for item VI, an adaptive reuse amendment that fell through the cracks in 2012.

II. Public Forum

B. Baker – Opened the public forum at 6:39 pm.

No participants.

B. Baker – Closed the public forum at 6:39 pm.

III. Report of the Chair

B. Baker: No report, the Chair is absent.

IV. Report of the Director

The Director presented the following report:

- Since the last meeting, the Director has been consumed with stormwater issues. Last week, Thursday, he testified before the Fish and Wildlife legislative committee, concerning the proposed shoreline protection bill. The Director focused on the notion that not all shorelines are created equal, and that while the majority of shorelines in the state are rural, there is a portion of the State where mixed development exists. He suggested a redraft to reflect that circumstance, and to allow for local ordinances to govern the responsibility for mixed development use. He also suggested that the Agency of Natural Resources could delegate responsibility to municipalities as they desired, to reflect that there exists a multitude of different shoreline contexts.
- The Director will meet with the Mayor tomorrow to discuss the progress of the form based code development. There will be a conference call Thursday with the consultant team.
- There has been an email circulated about the upcoming Railyard Enterprise project meeting next Thursday, March 7th in Contois Auditorium to discuss this proposal, how it meshes with the Waterfront Plan, and clarify how to go forward.

As approved by the Burlington Planning Commission on.

V. Public Hearing: ZA-13-06 Downtown Parking

D. White: It was the pleasure of the Planning Commission at the January 22 meeting to discuss the proposal for modification of the parking standards in the downtown parking district. The Commission will put forward off-site parking recommendations.

Two areas of change:

- Section 8.1.6: Strike this section, it doesn't apply now.
- All of downtown requirement in Table 8.1.7. Any new development will be responsible for determining their own parking needs. This article retains the maximum requirement of 125% required parking. It encourages alternative transportation and creates ways to incentivize using public transport, biking, walking.

B. Baker: Asked for public comments, there were none.

H. Roen: The Department of Public Works discussion gave the impression that they try to accommodate parking on street if requested for special projects. What is happening with this subject?

D. White: The Department is trying to organize a meeting with DPW. There is some overlap of parking issues. Now is a good time to re-examine how the residential parking program is managed. There is a need to facilitate downtown parking and support housing. The goal is to bring in all transportation recommendations from planBTV.

J. Wallace-Brodeur: Strongly supports this amendment which will create flexibility in the approach to parking. The evolution of a different strategy is needed.

A. Montroll: Also endorses the amendment for much the same reasons.

L. Buffinton: This is key for affordable housing.

On a motion by A. Montroll, seconded by J. Wallace-Brodeur, the Commission unanimously recommends approval of ZA-13-06 to the City Council.

VI. PlanBTV- Open Space Protection Plan Update

Amy Sheldon, independent consultant; Scott Gustin, Senior Planner; Dan Cahill, Parks and Recreation Department present an update of the plan.

A. Sheldon presents a look at the six existing plans that address open space. The object is to collate the plan objectives and then prioritize an approach.

The Parks and Recreation Master plan and the Open Space Protection plans were compared. Public lands, inventories of recreation sites, capital improvements budget were all considered.

The Open Space Protection Plan of 2000 overview was presented and a summary of accomplishments.

About 49% of the city's land is open space, the majority being in the Intervale and adjoining Winooski River area. There are 37 parks in City, and 48 miles of trails. Some green space has been lost to development, but some has been conserved. Wetland and riparian areas are regulated.

The Conservation Legacy program, which was created as a result of the first open space plan, focuses on education, acquisition, stewardship.

Trails assessment, pocket parks, urban agriculture, green infrastructure, access to natural areas, are all in the focus of the inventory update.

Research was started in the fall 2012, spring 2013 will be the final draft plan. The team has made public appearances, addressed NPAs, announced in the Front Porch forums, contacted people through city distribution lists. The response has been good. Approximately half of the comments have been about management of public spaces. Access to the waterfront and bike path in particular have garnered the largest amount of comments.

As approved by the Burlington Planning Commission on , 2013.

S. Gustin: The team is now wrapping up public input, this being the last formal meeting for this round. There has been good public input, and the website soliciting comments is available for use through next month. Comments and suggestions will be encompassed into the final draft plan for adoption by the City Council in the summer.

L. Buffinton: Were wildlife corridors documented?

A. Sheldon: Yes, this is part of the Long Range plan and there is data which will be integrated. A UVM research group provided corridors mapping and modeling.

L. Buffinton: Is there money for the purchase of conservation easements?

D. White: 70% of the funds in the CLG are used for conservation easements.

H. Roen: Believes this is great that this is being updated, especially since the original inventory was not comprehensive.

J. Wallace-Brodeur: Concerning properties not in conservation or developed yet, what is the City position on those properties? Is the City looking for purchase some of them?

S. Gustin: The Plan is a process to examine this at finer scale to ascertain possibilities.

A. Sheldon: This plan will help prioritize projects/properties. This will become more specific as work progresses.

J. Wallace-Brodeur: The idea of access to parks and public spaces relates to facilitating/ integrating opportunities. It is important that all related ideas become integrated into projects.

L. Buffinton: All facets relate to possible infrastructure.

A. Sheldon: Hopes to have the plan relate to increased density which is forecast for the City.

VII. Proposed Zoning Amendments

Accessory Dwelling Units

B. Baker: The Ordinance Committee voiced a general concern about two issues:

- Section 2, clarify the 30 percent accessory allowance as a percentage of the total structure.
- Clarify that the use will remain as accessory unit, owner occupation required. An accessory apartment will not affect density.
- The parking space requirement is reduced to one.

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously warned a public hearing on ZA-13-10 for March 26, 2013.

L. Buffinton: Accessory buildings are limited to 15 foot height? Overly restrictive?

S. Gustin: This is an existing requirement now, and only applies to accessory structures.

L. Buffinton: Should this be changed to be proportional to main building?

B. Baker: At the public hearing March 26th, could staff have examples to address this question pertaining to accessory buildings?

Dimensional Waiver

Item 1 of Scott Gustin's memo has already been warned for Public Hearing on February 12, 2012, but the Commission decided to discuss all the items together.

B. Baker: Asks that S. Gustin, Senior Planner, introduce the proposed amendment which pertains to residential side setbacks.

As approved by the Burlington Planning Commission on , 2013.

S. Gustin: At present it is not possible to expand a building vertically if the footprint is encroaching in the side yard setback. The Part 2 of the amendment would make possible a vertical expansion. As proposed, to expand upward, the permit application is subjected to the Development Review Board process, there is notice to the adjacent neighbors, and can expand vertically on the existing footprint. Part 3 pertains to how the side setbacks are calculated. The 10% of the lot width currently in place doesn't make sense in the high density zone (RH). The proposal is to use the same calculation mechanism as for front yard setback and average two properties on both sides.

A. Montroll: Does the setback average apply to each side separately? Yes.

B. Baker: Invites the group representing the interests of the King Street Youth Center who had previously been present during an Ordinance Committee meeting concerning this subject, to comment.

V. Smith: The King Street Center has been serving the public for 40 years, and the presently occupied structure has been in use by the Center for 20 years and is worn out. Preschool and afterschool programs are offered and the building is bursting at its seams. The current facility undermines the programs vision for the new center, complete reconstruction of the building is needed to provide infant and toddler care for which at present, there is no space. This expansion of programs would also provide for post high school employment to a population segment which is underemployed.

B. Baker: As I recall this building is within its setbacks but shaped oddly.

J. Bossange: Has met with Planning staff, the Ward 5 NPA, and sent letters to abutting owners. There has been no negative response to the letters, people seem pleased with project/process.

M. Mahoney: Adjoining neighbor; offers support and endorsement, serves on another nonprofit.

R. Kielman (Truex Cullins architect): Hands out orthophotos of the property. He has tested a series of constraints on the property and a decision has been made to work with the existing site. The existing building seems to belong to the character and pattern of neighborhood and the solution to reworking the building would be to reshape constraints. Expansion up or down was examined. The present ordinance requirements would limit the expansion, diminishing the space by 1,500 to 1,700 square feet. The Center is hoping to use the second floor roof of the building as a playground.

L. Buffinton: The massing of the building is now out of scale, bizarre, the proposal is appropriate.

B. Baker: Any comments from the Commission concerning the amendment?

A. Montroll: Is this in the RH zone? Yes.

H. Roen: The proposal amendment makes sense. He is curious if the new zoning process with form based code would make the process easier?

D. White: Yes, it would be easier. Planning & Zoning receives lots of requests which can't be accomplished because of constraints in the RH and RM zones.

A. Montroll: Does the 5 foot setback make sense?

D. White: This standard requirement reflects Fire Department safety requirements for typical construction. If buildings are closer, construction methods required are different. This zoning amendment focus is on expanding up, and involves the side yard setback and has already been warned. One more thing, specific to the King Street Youth Center, the current zoning ordinance use table limits community center use to the first floor. No one knows how or why this changed, but he would encourage the Commission to rectify situation.

On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously warned Part 2 & 3 of S. Gustin's memo as well as a change to the use table to make "community centers" a permitted use, for a public hearing on March 26, 2013.

Adaptive reuse

D White: 4.4.5 residential districts, deletes a redundancy, refers to adaptive reuse. Problematic, uses may have changed. Change to provide incentive for adaptive reuse.

As approved by the Burlington Planning Commission on , 2013.

L. Buffinton: Not specific enough. does not take advantage of adaptive reuse.

A. Montroll: A small residential property converted to non-residential could convert back to residential. If the property has previously converted to non-residential, it should not now be able to take advantage of the adaptive reuse policy. It seems counterintuitive if we are encouraging residential.

D. White: Nonresidential converted to residential, (with focus on historic building) provides an incentive to improve.

A. Montroll: Does subsection c address going from nonresidential to residential?

D. White: If a property is residential and converts to non-residential, it cannot convert to residential again with bonus.

A. Montroll: A property should not get a bonus for adaptive reuse more than one time.

D. White: The end product of permanent residential use of a historic building is becoming conforming. The history shouldn't matter.

A. Montroll: The end product exceeds our ordinance requirements.

D. White: Bonuses are tied to percentage of preexisting conditions.

A. Montroll: Doesn't the next subsection d take this into consideration?

D. White: This section anticipates demolition of the structure.

A. Montroll: Advises to remove redundancy.

B. Baker: Wanted to take out residential conversion, didn't recognize the complication.

D. White: This may still need work from the Ordinance Committee.

A. Montroll: Recommends that it be sent back to the Ordinance Committee, examined in a broader sense.

VIII. Committee Reports

H. Roen: The Long Range Planning Committee met. There will be notes from the meeting to go out to the Planning Commission. Brian Pine spoke about inclusionary housing.

S. Thibault: CEDO is conducting a market study to align housing need information with planBTV. After the studies are finished, CEDO will probably take the lead on some zoning changes on the inclusionary housing ordinance.

Ordinance Committee has met and many amendments were dealt with tonight.

Executive Committee met and discussed a list of priorities.

D. White: Historic materials will be back for the second meeting of March. Staff is meeting on Thursday previous to the larger meeting.

IX. Commissioner Items

A. Montroll: C. Baker from the Chittenden County Regional Planning Commission is holding a meeting Wednesday, March 20, to discuss the ECOS plan. A. Montroll as the Burlington representative would like to hear any comments.

L. Buffinton: There will be workshops on form based code on April 13th and 14th.

As approved by the Burlington Planning Commission on , 2013.

X. Communications

On a motion by J. Wallace-Brodeur, the Commission unanimously voted to accept the communication and place them on file.

XI. Adjourn

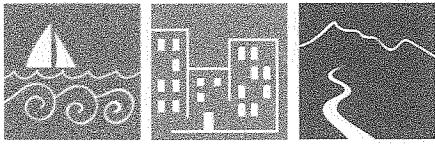
On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously adjourned the meeting at 8:39 pm.

Bruce Baker, Vice-Chair

Date

Elsie Tillotson, recording secretary

As approved by the Burlington Planning Commission on _____, 2013.



Lake Champlain Regional Chamber of Commerce

March 6, 2013

Sandrine Thibault, AICP
Department of Planning & Zoning
149 Church Street
Burlington, VT 05401

Planning for Burlington's future must incorporate the viewpoints of many different citizens and groups. We applaud the lengthy and inclusive Plan BTV process, for it has allowed a thorough examination of the issues we face as a city. It is exciting to see portions of the plan, such as the elimination of downtown parking requirements, moving forward as the adoption process approaches. We believe that the Planning and Zoning department's efforts have resulted in a plan which offers reasons for developers and businesses to be encouraged about the future of our city. However, we feel the need to address one issue we believe defies logic: the use of back-in parking on one of our city's busiest thoroughfares.

The concept of back-in diagonal parking on Main Street or any other similarly heavily trafficked corridor will only exacerbate confusion for incoming tourists and those unfamiliar with the practice. It seems ironic that our past policy decisions have focused on preserving air quality for pedestrians, cyclists and Burlingtonians, yet back-in parking will lead to exhaust pipes pointing into sidewalks, bike lanes and large truck hitches hanging dangerously in the right of way. While touted as a "safer" alternative to the current standard of nose-in diagonal parking, we believe that it is a solution in search of a problem. Of the five bicycle accidents involving another vehicle reported by VTrans on Main Street between July 2010 and 2011, none were directly attributed to automobiles backing out of parking spots.

In a recent study conducted for the City of Newport, RI by the Louis Berger Group, back-in parking was not recommended. Too few accidents due to traditional back-in parking, confusion for the elderly as well as tourists, and their concern for public acceptance contributed to their position. The findings also made mention to recent back-in parking policy reversals in Plattsburgh, NY and Brunswick, ME.

We urge the Department of Planning and Zoning to reconsider their inclusion of back-in angled parking before the plan is finalized and publicly adopted. Thank you again for your work and for the opportunity to share our thoughts.

Best Regards,

Tom Torti
President, LCRCC

CC: Peter Owens, CEDO

Carina Driscoll, Office of the Mayor



